

frontier

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March 8, 1995

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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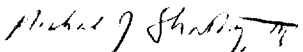
Re: CC Docket No. 94-158 DOCKET FILE COPY ORIGINAL

Dear Mr. Caton:

Enclose for filing please find an original plus nine (9) copies of the Comments of Frontier Communications International Inc. in the above-docketed proceeding.

To acknowledge receipt, please affix an appropriate notation to the copy of this letter provided herewith for that purpose and return same to the undersigned in the enclosed, self-addressed envelope.

Very truly yours,


Michael J. Shortley, III

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Amendment of Policies and Rules
Concerning Operator Services
Providers and Call Aggregators

CC Docket No. 94-158

COMMENTS OF FRONTIER
COMMUNICATIONS INTERNATIONAL INC.

Frontier Communications International Inc. ("Frontier International") submits these comments in response to the Commission's Notice initiating this proceeding.¹ Frontier International confines its comments to one issue -- customer information and posting requirements.

The Commission proposes to place a time limit on the obligation to update the customer information required on pay telephones and other aggregator equipment.² The Commission, however, should address more than merely a time limit on the requirement to post updated customer information. It should also clarify that the disclosure obligation rests solely with the instrument owner, including exchange carriers with respect to their pay telephones. The Commission should place on the underlying interexchange carrier or operator services provider ("OSP") only the obligation of supplying the instrument owner with a sufficient supply of materials containing the required information. Frontier

¹ *Amendment of Policies and Rules Concerning Operator Services Providers and Call Aggregators*, CC Dkt. 94-158, Notice of Proposed Rulemaking and Notice of Inquiry, FCC 94-352 (Feb. 8, 1995).

² *Id.*, ¶ 12.

International also suggests that a thirty-day time limit for posting updated customer information would be reasonable.

The obligation to update customer information should rest solely with the instrument owner. The owner must service the instruments and, in any event, exercises far more control over the operations of those instruments than can the underlying interexchange carrier or OSP. Thus, the instrument owner rather than the underlying carrier or OSP is in the best, or only, position to undertake this responsibility.³ So long as the underlying carrier or OSP supplies the instrument owners with a sufficient quantity of materials containing the information required by the Commission's rules and adopts the already-mandated contract language linking compliance with the posting requirements to commission payments, it should be absolved of any potential liability for the failure or refusal of the instrument owner to post current information.⁴

For the same reasons, the posting obligation should also rest with exchange carriers with respect to their pay telephones. In addition, exchange carriers typically will refuse to permit third parties to service those instruments -- including posting information on the face

³ Indeed, an instrument owner could place an order to change the presubscribed carrier serving its telephones that could be located throughout the country. Except for the area codes associated with those instruments, the new presubscribed carrier could have no way of knowing even where those phones are located.

⁴ Frontier International believes that the Commission's rules already place this responsibility on the instrument owner rather than on the underlying carrier or OSP. Nonetheless, it requests that the Commission make this distinction explicit.

of the instrument. In these circumstances, exchange carriers should bear the responsibility -- and cost -- of posting the customer information required by the Commission's rules.

Finally, Frontier International suggests that updated information be posted on or near the instrument within thirty days of a change in presubscribed interexchange carrier or OSP. The suggested time frame will provide sufficient leeway to process change orders and dispatch the personnel necessary to accomplish the change. At the same time, thirty days is a reasonable period of time within which to provide consumers with current information regarding the entity handling calls from a particular instrument.

For the foregoing reasons, the Commission should act upon the proposals contained in the Notice in the manner suggested herein.

Respectfully submitted,


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International Inc.

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